

Notice of Allowability

Application No.

09/653,928

Examiner

Eduardo Garcia-Otero

Applicant(s)

PAWSON, DAVID J.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/23/04.
2. ☒ The allowed claim(s) is/are 1,3,4,9,10,15-21 and 23-40.
3. ☒ The drawings filed on 01 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowance

Introduction

1. Title is: DYNAMIC PERSONALIZED CONTENT RESOLUTION FOR A MEDIA SERVER.
2. First named inventor is: PAWSON.
3. Applicant's amendment was received 11/23/2004.
4. US nonprovisional application filed 9/1/2000, and no earlier priority is claimed.
5. Claims 1, 3-4, 9-10, 15-21, 23-34, 29-30, and 35-40 are pending, and are allowed.

Index of Important Prior Art

6. Bar-El refers to WO 99/26415, published 27 May 1999.
7. Computer Security refers to Computer Security (Understanding Computers Series), Time-Life, 1986, ISBN 0-8094-5670-2, pages 23, and 74-75.
8. Bowker refers to US Patent 6,317,790.
9. Rosin refers to US Patent 6,260,192.
10. Ellis refers to US Patent 6,774,926.
11. Zigmond refers to US Patent 6,698,020.

Remarks

12. Applicant's Remarks and Amendments have overcome all prior objections and rejections.

REASONS FOR ALLOWANCE

13. Claim 1 (currently amended) is a "method" claim with a complex detailed series of 11 limitations:

- receiving a first request...
- consulting a first user profile...
- determining the composition...
- constructing...
- sending...
- receiving a second user profile...
- consulting...
- determining the composition...

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- constructing...
- sending...
- wherein...

14. The prior art of record does not anticipate and does not make obvious the claim 1 (currently amended) detailed series of limitations.
15. Claims 3-4, 9-10, and 15-20 depend from claim 1, and are allowed for the same reason as claim 1.
16. Claims 21, 23-24, 29-30, and 35-40 are "computer-readable medium" claims with the same limitations as claims 1, 3-4, 9-10, and 15-20, and thus are allowed for the same reasons.

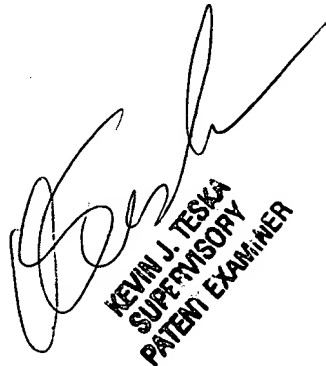
Conclusion

17. All pending claims are allowed.
18. All prior objections and rejections are withdrawn.

Communication

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eduardo Garcia-Otero whose telephone number is 571-272-3711. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 8:00 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kevin Teska, can be reached at 571-272-3761. The fax phone number for this group is 703-872-9306.

* * * *


KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER